

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: BENNESHA MCCOY : CHAPTER 13
: BKY. NO. 23-10778-amc
Debtor :

**LETTER TO THE COURT ASKING FOR AN EXPEDITED PROCEEDING
AND REVIEW OF THE SUPPLIED ADDITIONAL DOCUMENTS
REGARDING SERVICE OF DEBTOR'S OBJECTION TO CLAIM NO. 14**

To the Honorable Judge Ashley M. Chan:

This firm represents Debtor, Bennesha McCoy, in the above captioned Chapter 13 case. On February 14, 2024, Debtor filed her objection to the secured claim by Navy Federal Credit Union ("NFCU"). The undersigned served NFCU's President and CEO Mary McDuffy. *See* a Certificate of Service and Exhibit ECF No. 95-6. Debtor properly served NFCU pursuant to the applicable rules in Fed. R of Bankr. P.

Despite the proper service, NFCU neither entered its appearance nor filed an objection on the docket. NFCU twice failed to appear to the hearing on the Debtor's Objection. First, it failed to appear in front of Judge Coleman on April 2, 2024. It further failed to appear on May 2, 2024 in your honor's courtroom.

Debtor is not able to propose a viable Chapter 13 Plan without a decision on her Objection to Claim No. 14. The Court continued the hearing to June 20, 2024. ECF No 94. The Chapter 13 Trustee, however, filed a Motion to Dismiss the case for "unreasonable delay" Pursuant to 11 U.S.C. Section 1307(c)(1). *See* ECF No. 92. Debtor asks the Court to expedite the review of her objection and strike the above-mentioned claim so that she can propose a viable plan in this case.

Dated: May 2, 2024

/s/ Sergey Joseph Litvak
Sergey Joseph Litvak Esquire
Attorney for Debtor